

6. On August 22, 2018, the parties jointly moved the Court to (1) extend time for the remaining briefing on the Motion to Dismiss, and (2) stay the pre-trial conference the Court had set for September 28, 2017 until at least 30 days after disposition of the pending Motion to Dismiss (unless that disposition dismisses this case entirely). (ECF No. 21). The parties noted that the pending Motion to Dismiss is potentially dispositive of the entire case and will otherwise likely affect management of the case going forward, including discovery. Thus, the parties submitted that it is in the interest of judicial efficiency and economy to stay the conference and associated deadlines pending the Court's disposition of that Motion. The parties requested 30 days to prepare for the conference once that Motion is disposed of to allow time to meet and confer pursuant to Rule 26(f), and file the joint discovery/case management plan required thereunder.

7. On August 23, 2018, Judge Lake granted the parties' joint motion, setting the following calendar:

Plaintiff's Response to Motion to Dismiss: September 17, 2018

Defendant's Reply in Support of Motion to Dismiss: October 1, 2018.

Judge Lake also granted the parties' request to stay the pre-trial conference until 30 days after disposition of the pending Motion to Dismiss, unless such disposition resolves this case entirely. (ECF No. 23)

8. On August 24, 2018, Judge Lake recused himself from the case. The Recusal Order indicated that "Deadlines in the scheduling orders remain in effect." (ECF No. 24)

9. On August 24, 2018, the case was reassigned. (ECF No. 25)

10. On August 28, 2018, this Court issued an Order Setting Conference, setting a pre-trial conference for September 10, 2018 at 10:30 AM. (ECF No. 26)

11. The parties request that the pre-trial conference set by this Court be stayed until after disposition of the pending Motion to Dismiss. As noted above, that Motion is potentially

dispositive and will otherwise likely affect the parties' management of the case going forward, including discovery. It is thus in the interest of judicial efficiency and economy to stay the conference and associated deadlines pending the Court's disposition of Defendant's Pending Motion to Dismiss.

12. In addition, Plaintiff's lead attorney, David Greene of Electronic Frontier Foundation has indicated that he is unavailable September 10, 2018, because of religious observance.

13. Neither party will be prejudiced by the adjustments to the calendar requested here.

14. The parties respectfully request entry of the proposed order attached to effect the relief sought in this motion.

DATED: August __, 2018

Respectfully submitted:

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